

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ROBERT L. WEBSTER, )  
Petitioner, ) CASE NO. C09-1489-TSZ  
v. )  
STEPHEN SINCLAIR, ) ORDER DENYING PETITIONER'S  
Respondent. ) HABEAS PETITION WITH  
 ) PREJUDICE  
 )  
 )

The Court, having reviewed the Report and Recommendation of Mary Alice Theiler, United States Magistrate Judge, to which no objections have been filed, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation, docket no. 19;
- (2) Petitioner's habeas petition and this action are DISMISSED, with prejudice;
- (3) Petitioner is DENIED issuance of a certificate of appealability, and
- (4) The Clerk is directed to send copies of this Order to petitioner, to counsel for respondent, and to Judge Theiler.

DATED this 22nd day of September, 2010.

Thomas S. Bally

Thomas S. Zilly  
United States District Judge